

COMMONWEALTH OF MASSACHUSETTS – PLYMOUTH DISTRICT
OFFICE OF THE DISTRICT ATTORNEY



TIMOTHY J. CRUZ
DISTRICT ATTORNEY

MAIN OFFICE:
32 Belmont Street
P.O. BOX 1665
Brockton, MA 02303-1665
Tel: (508) 584-8120
Fax: (508) 586-3578

PRESS RELEASE

For Immediate Release:
September 2, 2014

Contact: ADA Bridget Norton Middleton
(508) 584-8120

BROCKTON, MA- Plymouth County District Attorney Timothy J. Cruz today announced that his office will retry Chiteara M. Thomas, (DOB: 4/22/84) of Brockton for murder and 13 counts of attempted murder in connection with the deadly fire that claimed the life of twenty-eight year old Olinda Calderon at 779 Montello Street in Brockton on July 6, 2006.

On March 10, 2010, after an 11 day trial, a Plymouth County jury found the defendant guilty of first degree murder, arson and 13 counts of attempted murder. Today, the Supreme Judicial Court (SJC) affirmed the defendant's conviction for arson but reversed the other convictions. In reversing the convictions, the SJC found that the defendant's motion to suppress some of her statements to police after she requested a lawyer should have been allowed. At trial all of the defendant's statements, including statements that had been suppressed, were admitted at the request of defense counsel and by agreement. The SJC found that the statements made after booking during a taped interview with police where the defendant admitted that she set the fire by reaching into the second window and using her lighter to set the curtains on fire were properly admitted.

Although the Supreme Judicial Court found that there was sufficient evidence to permit a reasonable jury to find intent to kill based on the defendant's earlier threats to kill the first floor tenant and the persistent feud between them, the SJC found that admission of the defendant's statement was not harmless and warranted reversal. In reaching that conclusion the SJC stated, "But the evidence supporting a finding of an intent to kill was not overwhelming, and the defendant's manner of setting the fire (using a cigarette lighter to set fire to the curtain in one window of the house, without adding any accelerant and without making any apparent effort to block egress from the first-floor apartment) was not reasonably likely to result in Johnson's death."

In announcing his decision to retry the defendant, District Attorney Cruz stated, "This was a horrific fire that left victims, including small children, jumping from a burning building to save their lives. There was overwhelming evidence that this defendant acted with deliberate premeditation to kill, including setting fire to a house filled with women and children at five o'clock in the morning. She had repeatedly threatened to burn down the house because of an ongoing feud with the first floor tenant. The defendant was seen putting her hand in the window,

COMMONWEALTH OF MASSACHUSETTS – PLYMOUTH DISTRICT
OFFICE OF THE DISTRICT ATTORNEY



TIMOTHY J. CRUZ
DISTRICT ATTORNEY

MAIN OFFICE:
32 Belmont Street
P.O. BOX 1665
Brockton, MA 02303-1665
Tel: (508) 584-8120
Fax: (508) 586-3578

right before the fire started. The defendant was able to describe the location where she started the fire. Olinda Calderon lost her life; her baby lost her mother; and the survivors suffered severe injuries. The loss of life may have been far greater except for the heroic efforts of a passerby, Russell Reynolds, who caught the children from the second floor apartment. The Brockton Fire Department personnel are to be commended for their rescue of the one-month old daughter of Olinda Calderon and two of Calderon's family members, as well as their efforts in locating and retrieving Calderon from the third floor apartment before her death."

State Fire Marshal Coan said, "Every fire has the potential to take a life. All fires start small. Most fatal fires occur at night in people's homes when they are sleeping. Most fire victims are overcome by toxic smoke in less than three minutes, and never come near a flame. We disagree with the court's decision and applaud the District Attorney's decision to retry this case."

The charges resulted from an investigation into an extensive, four-alarm house fire at 779 Montello Street in Brockton, on July 6, 2006. At approximately 5:45 a.m., the Brockton Fire Department responded to the fire scene where they found the triple-decker multi-family residence engulfed in flames.

Brockton fire fighters rescued three female victims who, at the time the fire was started, were sleeping inside the third floor apartment. They were identified as one month old Santasia Stafford, forty-six year old Sherry Stafford, and twenty-year old Taquila Stafford. The three victims were transported to Boston hospitals with burns, lacerations and severe smoke inhalation. Brockton firefighters also located a twenty-eight year old woman, Olinda Calderon, in the third floor apartment. She was unconscious and suffered severe burns to her body. She was transported to Massachusetts General Hospital where she was pronounced dead the following day, on July 7, 2006. An autopsy revealed that she died from smoke inhalation and thermal burns sustained in the fire.

At the time of the fire, there were seven people sleeping inside the second floor apartment: Mrs. Mirleine Etienne, (age 44), Mr. Jean Delvamilord (age 42), two year old Kesliene Milord, seven year old Camy Sanon, twelve year old Ashle Sanon, Mr. Ernst Charmant (age 37) and Ms. Sofonie Etienne (age 45).

A passerby named Russell Reynolds of Bridgewater saw the house on fire, called 911, and ran into the burning house yelling for the people to get out. Russell Reynolds then positioned himself under a second floor window and caught all three children who were dropped

COMMONWEALTH OF MASSACHUSETTS – PLYMOUTH DISTRICT
OFFICE OF THE DISTRICT ATTORNEY



TIMOTHY J. CRUZ
DISTRICT ATTORNEY

MAIN OFFICE:
32 Belmont Street
P.O. BOX 1665
Brockton, MA 02303-1665
Tel: (508) 584-8120
Fax: (508) 586-3578

down to him by their parents from the second floor. Reynolds then broke the fall of the other second floor victims as they jumped from the second floor apartment. The second floor victims were all transported to various hospitals where they were treated for shock, smoke inhalation, broken bones and lacerations.

The investigation revealed that the defendant, Chiteara Thomas, had been involved in an ongoing dispute with Michelle Johnson, the tenant of the first floor apartment at 779 Montello Street. The defendant had been arrested by Brockton Police on July 3, 2006 for trespassing at the house and witnesses reported that she had broken several windows in the first floor apartment and had threatened to “torch the place.”

Witnesses also reported seeing the defendant travel to 779 Montello Street during the night of Wednesday July 5. Just moments before the fire, a witness observed her reach into one of the windows she had previously broken, and then flee the scene. Within minutes, witnesses saw fire engulf the entire dwelling.

Massachusetts State Police Troopers assigned to the State Police Fire and Explosion Investigation Section of the of the State Fire Marshall’s Office investigated the cause and origin of the fire and determined that it was intentionally set by an open flame igniting curtains at the window.

#####